

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.32698 of 2020

DATE OF DECISION : 14th OCTOBER, 2020

Vaishali

.... Petitioner

Versus

State of Punjab & others

.... Respondents

CORAM : HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

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In virtual Court
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Present : Ms. Deipa Singh, Advocate and
Ms. Mehak Sawhney, Advocate for the petitioner.

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RAJBIR SEHRAWAT, J. (Oral)

The present petition has been filed by the petitioner under Section 482 Cr.P.C. for issuance of directions to respondents to conduct a fair, transparent and impartial investigation in complaint (Annexure P-1) submitted by the petitioner.

This Court has already held in another petition i.e. ***CRM-M-20457 of 2019 decided on 06.05.2019***, that unless the statutory proceedings have already been initiated by a statutory authority or a Court, under Code of Criminal Procedure (for short, 'Cr.P.C'), Section 482 Cr.P.C cannot be invoked for issuance of any direction to the Police or the authorities. Hence a petition under Section 482 Cr.P.C., for a direction to police to register FIR or for decision on representation, is not

maintainable. The remedy can be a writ petition for issuance of mandamus under Article 226 of Constitution of India.

In view of the above, counsel for the petitioner seeks permission to withdraw the present petition with liberty to avail alternative remedies; in accordance with law.

Dismissed as withdrawn, with liberty as aforesaid.

14th OCTOBER, 2020
'raj'

(RAJBIR SEHRAWAT)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>